

REMARKS

Reconsideration of the application is requested.

Claims 8-15 remain in the application. Claims 8-15 are subject to examination.

Claims 8, 9, 11, and 15 have been amended.

Under the heading “Claim Rejections – 35 USC § 101” on page 2 of the above-identified Office Action, claims 8-15 have been rejected as being directed to non-statutory subject matter under 35 U.S.C. § 101.

The claims have been directed to a control device that stores the characteristic map and that uses the characteristic map to control an installation, which in some embodiments, may be an internal combustion engine.

Support for the changes may be found on page 7, lines 1-12 and on page 8, lines 23-32 of the specification of the instant application.

It is accordingly believed that the claims meet the requirements of 35 U.S.C. § 101.

It is also believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 8. Claim 8 is, therefore, believed to be patentable over the art. The dependent claims are

believed to be patentable as well because they all are ultimately dependent on claim 8.

In view of the foregoing, reconsideration and allowance of claims 8-15 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,

/Mark P. Weichselbaum/
Mark P. Weichselbaum
(Reg. No. 43,248)

MPW:cgm

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Lerner Greenberg Stemer LLP
P.O. Box 2480
Hollywood, Florida 33022-2480
Tel.: (954) 925-1100
Fax: (954) 925-1101